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Attorney for Defendant

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

UNITED STATES OF AMERICA,

Case No. 3:22-cr-00421-IM-1

Plaintiff,

v.

**DEFENDANT'S UNOPPOSED
MOTION TO CONTINUE
SENTENCING HEARING DATE**

KEVIN ROBERT MCCARTY,

Defendant.

The defendant, Kevin Robert McCarty, through his attorney, Robert Hamilton, hereby moves the Court to continue the sentencing hearing date in the above-entitled case, which is presently scheduled for July 11, 2023, for a period of approximately 60 days to September 11, 2023, or a date thereafter convenient to the Court. This motion is based on the reasons set forth below and is unopposed by Assistant United States Attorney Gary Sussman.

This sentencing was previously reset for Mr. McCarty to address dental issues affecting his health. Mr. McCarty is housed at NORCOR. He had multiple issues that needed to be addressed and has received care to address most of his issues. He has one remaining appointment. Mr. McCarty has twice been scheduled to be transported for the final dental procedure but both times transport was cancelled due to staffing issues that arose and were beyond his control. He is currently scheduled for a procedure in August. Mr. McCarty is asking for this extension so he can

complete his needed medical care before being moved to various BOP facilities and thereby having to start over with his medical care requests. Counsel anticipates this task being complete within 60 days. AUSA Gary Sussman does not oppose this request.

Respectfully submitted on June 28, 2023.

/s/ Robert Hamilton
Robert Hamilton
Assistant Federal Public Defender